

**DECLARATION  
FOR UTILITY OR DESIGN  
PATENT APPLICATION**

) Attorney Docket No.: 65173  
)  
) First Named Inventor: Heese et al.  
)  
)  
) Application Number: 09/219,985  
) Filing Date: December 23, 1998  
)  
) Group Art Unit: 1615  
)  
) Examiner Name: Not Assigned

☐ Declaration Submitted With Initial Filing  
☐ Declaration Submitted After Initial Filing

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**STABLE DRUG FORM FOR ORAL ADMINISTRATION WITH BENZIMIDAZOLE DRIVATIVES  
AS ACTIVE INGREDIENT AND PROCESS FOR THE PREPARATION THEREOF**

(Title of Invention)

the specification of which:

( ) is attached hereto, or

(X) was filed by an authorized person on my behalf on 12/23/98  
as United States Application Number 09/219,985 (Date)  
or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).  
(Date)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application, on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed:

<u>Registered Practitioner</u>	<u>Registration Number</u>	<u>Registered Practitioner</u>	<u>Registration Number</u>
Morgan L. Fitch, Jr.	17,023	Mark W. Hetzler	38,183
Francis A. Even	16,880	Timothy P. Maloney	38,233
Julius Tabin	16,754	Thomas F. Lebens	38,221
John F. Flannery	19,759	Donald A. Peterson	18,647
Robert B. Jones	20,135	James R. McBride	24,275
James J. Schumann	20,856	Bruce R. Mansfield	29,086
James J. Hamill	19,958	Jeannette M. Walder	30,698
Timothy E. Levstik	30,192	Mark A. Hamill	37,145
Joseph E. Shipley	31,137	Perry J. Hoffman	37,150
Robert J. Fox	27,635	James P. Krueger	35,234
Kenneth H. Samples	25,747	Stephen S. Favakeh	36,798
Philip T. Petti	31,651	Jay A. Saltzman	38,293
John S. Paniaguas	31,051	Greg H. Leitich	39,745
Richard A. Kaba	30,562		
Karl R. Fink	34,161		

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Full name of sole or one joint inventor:

Gerd-Ulfert Heese  
(Given names first, with Family name last)

Inventor's signature:

G. Heese

Date:

January 12, 1999

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Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached	
				Yes	No
19626045.0	Germany	06/28/96	<input type="checkbox"/>	<input type="checkbox"/>	X
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>Provisional Application Number(s)</u>	<u>Provisional Application Filing Date</u>
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☐ Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120, of any prior United States application(s), or under §365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Prior U.S. Application Number</u>	<u>Prior PCT International Application Number</u>	<u>Filing Date of U.S. or PCT International Application</u>	<u>Patent Number (if applicable)</u>
	PCT/EP97/03387	June 27, 1997	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 1600, 120 South LaSalle Street Chicago, Illinois, 60603-3406, Telephone No. (312) 577-7000, Facsimile No. (312) 577-7007:

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